

**TITLE HUMAN RESOURCES DEPARTMENT**  
**CHAPTER 2 Testing and Examinations**  
**PART 2 Fire Rescue Promotional Procedures**

**1.—ISSUING AGENCIES:** The Human Resources Department and the Albuquerque Fire Rescue.

**2.—SCOPE:** This section will be the only source of authority for promotion of sworn personnel.

**3.—STATUTORY AUTHORITY:** Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 (2006); Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006); Civil Rights Act of 1991; EEOC Uniform Guidelines on Employee Selection Procedures, 29 CFR pt. 1607, (1978); City of Albuquerque, NM. Code of Ordinances, Ch. 3 art. 1, Merit System; N.M. Stat. Ann. § 66-5-54; 49 U.S.C.A. §§ 31100-31161; Retention and Disposition Schedule for General Personnel Records, 1.15.6 NMAC; Uniformed Services Employment and Re-Employment Rights Act (USERRA), 38 U.S.C.A. § 4301 et seq.; Family and Medical Leave Act of 1993 (FMLA)

**4.—DURATION:** Until revoked.

**5.—EFFECTIVE DATE:**

**6.—OBJECTIVE:** The purpose of this Regulation is to establish the procedures for promoting to the ranks of Driver, Lieutenant, Captain, Battalion Chief, and Deputy Fire Chief those persons who are best qualified or suited for advancement, as determined by the selection process. These procedures are to assure that selection procedures are objective and free of considerations such as race, color, religion, national origin or ancestry, disability, age, gender, Vietnam Era or disabled veteran status, sexual orientation or medical condition.

**7.—RESPONSIBILITY FOR ADMINISTRATION:** The Fire Chief and the Director of Human Resources Department are jointly responsible for the administration of the Fire Rescue Promotional Procedures.

**8.—DEFINITIONS:** The definitions provided herein are specific to this rule and the promotional process.

- A. **Activation date** means the date a promotional list becomes official.
- B. **Albuquerque Fire Rescue (AFR) Battalion Chief Certification Course** means a course of study that includes strategic level responsibilities on the fireground, City and department administration, which, upon successful completion, indicates a minimum level of knowledge in the subject field.
- C. **Albuquerque Fire Rescue (AFR) Captain Certification Course** means the course of study that includes tactical level responsibilities on the fireground, Incident Safety Officer roles and responsibilities and firehouse leadership, management and administration, which, upon successful completion, indicates a minimum level of knowledge in the subject field.
- D. **Albuquerque Fire Rescue (AFR) Driver Certification Course** means the course of study that includes safe apparatus driving, apparatus inspection and maintenance

principles, engine company operations and ladder company operations, which, upon successful completion, indicates a minimum level of knowledge in the subject field.

**E. Albuquerque Fire Academy Cadet Program** means the course of study of basic firefighter knowledge, fireground operation, to include EMS, HazMat, Wildland, and Heavy Technical Rescue, which upon successful completion, indicate a minimum knowledge to act as a firefighter according to NFPA 1001.

**F. Albuquerque Fire Rescue (AFR) Lieutenant Certification Course** means a course of study that includes initial fireground command and decision making, firehouse leadership, management and administration, which, upon successful completion, indicates a minimum level of knowledge in the subject field.

**G. Assessment Center** means a group of situational exercises that simulate job related tasks and work activities designed to measure critical knowledge, skills, abilities, behaviors, qualities, dimensions, and competencies that have been identified through a job analysis as being required for successful performance in the position.

**H. Assessor** means someone knowledgeable about the requirements of the position being tested and is qualified to rate the performance of candidates.

**I. Business day** means a day in which the City's administrative offices are open, typically weekdays Monday-Friday, from 8:00 AM to 5:00 PM, except for City holidays other days when the administrative offices are not open for business. See also "Calendar day" and "Day".

**J. Calendar day or "day"** means a 24-hour period, from midnight to midnight.

**K. Calendar month** means a period of time beginning on the 1<sup>st</sup> day of a month on the calendar and ending on the last day of the month as designated on the calendar; by contrast, "month" means a period from a specified day in any one calendar month to the day numerically corresponding to that day in the following calendar month, less one, typically regarded as 30 consecutive days. By way of example: a calendar month is the month of June or the month of July; a "month" is typically 30 days, such as from June 20 to July 19.

**L. Candidate** means an employee seeking promotion.

**M. Chief Administrative Officer** means the Chief Administrative Officer for the City of Albuquerque or designee.

**N. City** means the City of Albuquerque, a municipal corporation.

**O. Consultant** means an independent contractor engaged by the City for a specific project, typically, but not necessarily, selected through a competitive process, to provide special expertise or independence not otherwise available through City staff.

**P. Current continuous employment** means no break or interruption in the employee's assignment in current rank; a "break" or "interruption" includes a demotion for any length of time and certain leaves of absences.

**Q. Department** means the Albuquerque Fire Rescue, commonly abbreviated "AFR".

**R. Dimensions** mean factors that represent a broad range of qualities, knowledge, skills, competencies, or behavior a candidate should demonstrate to be successful in that position.

S. **Director of Human Resources** means the administrative head of the Human Resources Department or designee.

T. **Disciplinary action** means an action taken by the Chief Administrative Officer, Department Director or designated management representative in response to a proven act of employee misconduct or uncorrected poor work performance. Disciplinary actions include but are not limited to written reprimands, suspension, demotion and discharge.

U. **Employment Testing Division** means a division of the Human Resources Department responsible for test development, validation, and administration.

V. **Exhaustion**, in the context of promotional lists, means all candidates eligible for promotion have been promoted prior to expiration of the current promotional list.

W. **Expiration**, in the context of promotional lists, means midnight of the last date on which the promotional list is valid as provided herein; position vacancies arising after expiration cannot be filled from an expired promotional list.

X. **Firefighter** means a City employee who has been certified as meeting the minimum level of qualifications as to perform firefighting and related public safety duties as those are defined by the City's rules and regulations. The term also denotes the lowest official rank for certified employees of the Albuquerque Fire Rescue.

Y. **Fire Chief** means the administrative Head of the Fire Rescue or designee.

Z. **Job** means an official position within the City personnel system. For example, "the job duties of a Firefighter include..."

AA. **Job analysis** means a determination of the relative importance of the various aspects of the job based on a detailed inventory of job tasks, duties, and activities performed on the job, and the knowledge, skills, abilities, and other characteristics required to perform the job.

BB. **Key copy review** means a process whereby a candidate may protest questions on the written examination.

CC. **Key** means a copy of the written examination with the correct answers provided.

DD. **Knowledge, skill, and ability**, in the promotional context, means the body of learned information which is used in and is a necessary prerequisite for observable aspects of work behavior of the job.

EE. **NFPA** means the National Fire Protection Association, established in 1896, a non-profit organization whose mission is to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating consensus codes and standards, research, training, and education. The NFPA develops, publishes, and disseminates consensus codes and standards intended to minimize the possibility and effects of fire and other risks. References to NFPA courses are not restricted to those in effect at the time of the adoption of these rules, but refer to the course version in current use from time to time as they may be revised or superseded, and the most recent versions or editions are adopted herein by reference.

FF. **Position** means an official job title accompanied by a specified set of duties as set forth in the City personnel system. For example, Firefighter, Driver, Paramedic, Lieutenant, Captain, Battalion Chief, Deputy Chief and Chief are positions within the Albuquerque Fire Rescue; within the department, positions are often referred to as "ranks".

GG. **Position Task Book** means a written record of the minimum required training and experience necessary to qualify for temporary upgrade to the next position or rank.

HH. **Promotion** means the advancement of an employee into a higher graded

position or rank within the department.

*II. Promotional list* means the Fire Rescue's official list of those candidates eligible to be promoted to a higher graded position or rank within the department.

*JJ. Scoring benchmarks* mean a set of specific behavioral examples illustrating different levels of performance, used to rate a candidate's performance in an assessment center or oral interview.

*KK. Scoring review* means comparing candidate's answer sheet against the template of correct answers for accuracy.

*LL. Situational exercise* means an exercise, within the Assessment Center, developed to assess a candidate's ability to handle a hypothetical scenario presented, and to assist in determining whether the candidate possesses the knowledge, skills, and abilities required for the position.

*MM. Source documents* mean the recommended study materials listed in the Fire Chief's Directive that are viewed and updated approximately every two years as the available books, materials and information change.

*NN. Structured oral interview* means an interview to solicit answers to questions presented to assist in determining whether the candidate possesses knowledge, skills, and abilities as well as experience and judgment required for the position.

*OO. Subject-matter expert (SME)* means an individual having a definitive source of knowledge, technique, or expertise in a specific subject area.

*PP. Temporary upgrade* means non-permanent assignment to the next highest rank as permitted by the City's personnel rules and regulations.

*QQ. Validation*, in personnel psychology, means establishment of the relationship between a test instrument or other selection procedure and performance on the job.

*RR. Written examination* means a multiple-choice test that assists in determining whether the candidate possesses the knowledge, skills, and abilities required for the position.

## **9.—AUTHORITY HAVING JURISDICTION**

A. Under the NFPA, the department is "the Authority Having Jurisdiction" for establishing and enforcing standards and procedures pertaining to the training, education and certification of its Firefighters, Drivers and Officers.

B. As "the Authority Having Jurisdiction", the department requires all those seeking promotion to have the requisite knowledge, skills and abilities and to meet the job performance requirements for the desired rank.

## **10.- PREPARATION AND ADMINISTRATION OF PROMOTIONAL PROCESS**

A. At the request of the Fire Chief, the Director of Human Resources will authorize the development and administration of the promotional process. The use of a consultant to provide advice and assistance regarding the overall promotion process, including but not limited to, proper methods for administering tests and evaluating tests results, may be authorized by the Director of Human Resources.

B. For the ranks of Driver and Lieutenant, the promotional process shall consist of a

written examination.

C. For the ranks of Captain and Battalion Chief, the promotional process shall consist of both a written examination and an assessment center.

D. A promotional list includes all candidates who have received a final score or a final combined promotional score of seventy percent (70%) or greater.

E. The date and location of the administration of the promotional proceedings and identification of the source documents to be used in the development of the written examination will be announced at least ninety (90) calendar days in advance of the administration of the written examination.

F. Any rescheduling or relocation of examinations shall be announced in a manner intended to give reasonable notice to all candidates scheduled to test.

G. In the event an examination is rescheduled, eligibility will be determined by the originally announced written examination date.

**11- ELIGIBILITY TO PARTICIPATE IN A PROMOTIONAL PROCESS** requires that a candidate has:

A. Reached the requisite length of service in a rank on or before the official examination date;

B. Not refused to upgrade to the next rank for the preceding twelve (12) calendar months prior to the official examination date, and

C. Successfully completed the appropriate requirements for the rank for which the candidate seeks to test. In addition to those specified herein, the Fire Chief may identify additional core knowledge certifications in directives issued by the Fire Chief from time to time.

**12- RANK-SPECIFIC REQUIREMENTS**, listed from lowest to highest, are those requirements that a candidate must meet to be eligible for promotion to a specific rank. In addition to the rank-specific requirements, a candidate must meet all the requirements of the lower ranks as well as those specified for the rank to which promotion is sought.

A. **Firefighter**

Firefighter 3rd Class is the entry level rank for the Albuquerque Fire Rescue. This person has successfully completed all entry level written, physical, structured oral interview, background investigation, and medical exams to start the Albuquerque Fire Rescue Cadet Program.

Firefighter 2nd Class is the probationary rank for a certified firefighter of the Albuquerque Fire Rescue. This person has successfully completed all necessary requirements of the Albuquerque Fire Academy Cadet Program which include, but is not limited to, Firefighter I & II, HazMat A & O, Heavy Technical Rescue, Swift Water Rescue, and Vehicle Extrication.

Firefighter 1st Class is the non-probationary rank for a certified firefighter. This person has successfully completed all necessary requirements for the 11th

Month Evaluation, and has been signed off for approval to work as a certified firefighter with the Albuquerque Fire Rescue by the assigned Battalion Chief.

**B. Driver**

**(1)**—Driver is the rank immediately above Firefighter and consists of two types of Drivers-- Suppression and Paramedic.

**(2)**—All Drivers must meet the Suppression Driver qualifications; Paramedic Drivers must meet additional paramedic specific qualifications.

**(3)**—Driver candidates must:

**(a)**—have successfully completed the appropriate core knowledge certification process for this rank. The appropriate core knowledge certification process is identified in Albuquerque Fire Rescue, Policy Statement, *Temporary Upgrade and Promotional Eligibility Requirements*, as issued from time to time.

**(b)**—have served at least twenty-four (24) current consecutive calendar months immediately preceding the examination date in a non-probationary status as a firefighter, i.e. current continuous employment;

**(c)**—possess a current New Mexico Class E driver's license;

**(d)**—possess a current City Operator's permit; and

**(e)**—have served at least five (5) current continuous years as a Paramedic in the department.

**(4)**—To be eligible to test for the rank of Paramedic Driver, a candidate must be currently licensed by the State of New Mexico as an Emergency Medical Technician (EMT)-Paramedic.

**(5)**—A candidate must appear on only one Driver promotional list, either Suppression or Paramedic, at any one time.

**C. Lieutenant**

**(1)**—Lieutenant is the rank immediately above Driver and consists of two (2) types of Lieutenants-- Suppression and Paramedic.

**(2)**—All Lieutenants must meet the Suppression Lieutenant qualifications; Paramedic Lieutenants must meet additional paramedic specific qualifications.

**(3)**—Lieutenant candidates must:

**(a)**— have successfully completed the appropriate core knowledge certification process for this rank. The appropriate core knowledge certification process is identified in Albuquerque Fire Rescue, Policy Statement, *Temporary Upgrade and Promotional Eligibility Requirements*, as issued from time to time.

**(b)**—have served at least twenty-four (24) consecutive calendar months immediately preceding the examination date as a Driver or Paramedic Driver, i.e. current continuous employment; except as otherwise provided herein.

**(c)**—have served at least five (5) consecutive calendar years as a Paramedic in the department immediately preceding the examination date, i.e. current continuous employment;

**(4)**—To be eligible to test for the rank of Paramedic Lieutenant, a candidate must be currently licensed by the State of New Mexico as an Emergency Medical Technician (EMT)-Paramedic.

~~(5)~~—A Suppression Driver or Paramedic Driver may appear on only one Lieutenant promotional list, either Suppression or Paramedic Lieutenant, but not both.

**D. Captain**

~~(1)~~—Promotional Examination Prerequisites: To be eligible to test for the rank of Captain, a candidate must:

~~(a)~~—have successfully completed the appropriate core knowledge certification process for this rank. The appropriate core knowledge certification process is identified in Albuquerque Fire Rescue, Policy Statement, *Temporary Upgrade and Promotional Eligibility Requirements*, as issued from time to time.

~~(b)~~—have served at least twenty-four (24) consecutive calendar months immediately preceding the examination date as a Lieutenant, i.e. current continuous employment.

~~(c)~~—As of January 1, 2020, have an Associate's Degree from an accredited educational institution that is recognized by the Council for Higher Education, the Department of Education or a Regional Accreditation Agency. The department is not obligated to fund this educational degree.

**E. Battalion Chief**

~~(1)~~—Promotional Examination Prerequisites: To be eligible to test for the rank of Battalion Chief, a candidate must:

~~(a)~~—have successfully completed the appropriate core knowledge certification process for this rank. The appropriate core knowledge certification process is identified in Albuquerque Fire Rescue, Policy Statement, *Temporary Upgrade and Promotional Eligibility Requirements*, as issued from time to time.

~~(b)~~—have served at least twenty-four (24) consecutive calendar months immediately preceding the examination date as a Captain, i.e. current continuous employment.

~~(c)~~—As of January 1, 2018, have an Associate's Degree from an accredited educational institution that is recognized by the Council for Higher Education, the Department of Education or a Regional Accreditation Agency. The department is not obligated to fund this educational degree.

~~(d)~~—As of January 1, 2020, have a Bachelor's Degree from an accredited educational institution that is recognized by the Council for Higher Education, the Department of Education or a Regional Accreditation Agency. The department is not obligated to fund this educational degree.

**F. Deputy Fire Chief:** To be eligible for promotion to the rank of Deputy Fire Chief, a candidate must:

~~(1)~~—have achieved the rank of Captain or Battalion Chief in the Albuquerque Fire Rescue.

~~(2)~~—As of January 1, 2018, have an Associate's Degree from an accredited educational institution that is recognized by the Council for Higher Education, the Department of Education or a Regional Accreditation Agency. The department is not obligated to fund this educational degree.

~~(3)~~—As of January 1, 2020, have a Bachelor’s Degree from an accredited educational institution that is recognized by the Council for Higher Education, the Department of Education or a Regional Accreditation Agency. The department is not obligated to fund this educational degree.

~~(4)~~—As of January 1, 2020, have successfully completed the appropriate core knowledge certification process for the rank of Battalion Chief. The appropriate core knowledge certification process is identified in Albuquerque Fire Rescue, Policy Statement, *Temporary Upgrade and Promotional Eligibility Requirements*, as issued from time to time;

### **13. PROMOTIONAL EXAMINATIONS**

A. Promotional examinations will be administered through the rank of Battalion Chief at a minimum of once every twenty-four (24) calendar months.

B. Bi-annual examinations, in even-numbered years, will be given on the same month of each year for the ranks as designated below unless business necessity dictates otherwise:

~~(1)~~—January: Driver Promotional Examinations

~~(2)~~—April: Lieutenant Promotional Examinations

~~(3)~~—July: Captain Promotional Examination (Written Exam and Assessment Center)

~~(4)~~—October: Battalion Chief Promotional Examination (Written Exam and Assessment Center)

C. If a promotional list is exhausted in less than twelve (12) calendar months, the Fire Chief, at his discretion, may request an additional promotional examination at the rank. Any such additional examination does not postpone or delay the regularly scheduled bi-annual examination.

D. If multiple promotional lists occur at the same rank and in the same division (by way of example, two overlapping lists for Lieutenant) due to additional examinations, the second promotional list will become active upon posting.

~~(1)~~—The activation date of the second list is at the discretion of the Fire Chief and does not have to wait until the exhaustion/expiration of the first promotional list.

~~(2)~~—Under no circumstance, will a candidate be promoted from the second promotional list before either the exhaustion or expiration of the first promotional list.

E. Promotional lists expire twenty-four (24) calendar months from the date of activation and will be dated so that the list ends on the first calendar day of a pay period.

F. Examinations for the ranks of Driver and Lieutenant will be administered simultaneously for both, Suppression and Paramedic Divisions, on the same date and at the same time.

G. Paramedics passing the Suppression Division Lieutenant exam will be promoted into the Suppression Division only.

### **14. SUSTAINED SUSPENSION A DISQUALIFYING EVENT**

Candidates having a sustained suspension within twelve (12) calendar months immediately

preceding the scheduled date of the written examination are ineligible to participate in the promotional process.

A. The ineligible candidate may appeal the determination of ineligibility to the Fire Chief, whose sole discretion is to determine whether the calculation was correct and not whether ineligibility should be waived. The Fire Chief's determination is not subject to further appeal.

B. If a candidate's disciplinary action resulting in suspension is under appeal to the Personnel Board or on appeal from the Personnel Board to a higher court, the candidate is permitted to participate in the promotional process until such time as the last appeal is resolved.

~~(1)~~—If the discipline is upheld, the candidate will be removed from the promotional process.

~~(2)~~—A candidate made ineligible by upheld disciplinary action shall be removed from the promotional list or, if the promotion has been processed, shall be demoted to the previously held rank; such demotion is in addition to any disciplinary action.

#### **15- LEAVE OF ABSENCE AS A BREAK IN CURRENT CONTINUOUS EMPLOYMENT**

Approved leaves of absence may be included in current continuous employment in determining eligibility to participate in promotional proceedings, if the leave of absence resulted in further enhancing the candidate's qualifications, as determined by the Fire Chief.

A. Any determination regarding the effect of the leave of absence must be resolved prior to the candidate embarking on a leave of absence.

B. The candidate is responsible for initiating the request for determination prior to the start of the leave of absence.

C. If a leave of absence is not approved as continuous employment, the leave period will be deducted from the period of continuous employment.

D. Leave with or without pay under the Family and Medical Leave Act of 1993 (FMLA) will be counted as continuous employment for the sole purpose of determining eligibility to participate in the promotional process.

#### **16- PARTICIPATION IN THE PROMOTIONAL PROCESS**

A. A candidate shall indicate a desire to take a promotional examination for which the candidate is eligible by signing a roster within the timeframe announced prior to the examination date.

B. A candidate must appear at the examination site at the designated time.

~~(1)~~—Failure to appear for any part of the scheduled promotional proceedings will terminate the candidate's eligibility to continue in the promotional process.

~~(2)~~—Travel or other expenses connected to the candidate's attendance shall not be paid by the City.

C. Exceptions for failing to appear are only made for a candidate who cannot appear at the examination site at the designated time due to the following:

~~(1)~~—Approved military leave will be accommodated pursuant to Uniformed Services Employment and Reemployment Rights Act (USERRA); and

~~(2)~~—Extraordinary circumstances, including, but not limited to, work-related

assignments and on-the-job injuries, may warrant an accommodation which shall be determined by the Fire Chief, in consultation with the Director of Human Resources.

#### **17- SUBJECT MATTER OF PROMOTIONAL PROCESS**

A. At the request of the Fire Chief, written test items for the promotional examinations through the rank of Battalion Chief will be prepared by, or under the direction of, the Human Resources Department from materials recommended by the Fire Chief.

B. The subject area(s) and, as applicable, the source materials for each promotional process will be specified in the announcement.

C. The Fire Chief shall designate Fire Rescue subject-matter experts to work with the Human Resources Department in the preparation of written test items and assessment center exercises. The Fire Chief or designee shall review the job description for the rank being tested, the promotional process subject areas, and the administration of the promotional process to ascertain conformance to City and department rules and regulations, practices, procedures, equipment, and training.

#### **18- PROMOTIONAL PROCESS FOR DRIVERS, LIEUTENANTS, CAPTAINS AND BATTALION CHIEFS**

A. Driver and Lieutenant ranks:

**(1)**—A candidate competing for promotion to the ranks of Driver or Lieutenant is required to take a 100-item written examination only.

**(2)**—The promotional eligibility lists for the ranks of Driver and Lieutenant shall consist of all candidates who have received a final promotional score of 70 percent (70%) or greater on the written examination for that rank.

B. Captain and Battalion Chief ranks:

**(1)**—A candidate seeking promotion to the ranks of Captain or Battalion Chief is required to take first a 100-item written examination.

**(2)**—The top forty (40) scoring candidates for the rank of Captain who achieve a score of seventy percent (70%) or greater on the written examination proceed to an assessment center. If tie scores occur at the seventy percent (70%) score, all candidates with that score will proceed to the assessment center.

**(3)**—The top twenty (20) scoring candidates for the rank of Battalion Chief who achieve a score of seventy percent (70%) or greater on the written examination proceed to an assessment center. If tie scores occur at the seventy percent (70%) score, all candidates with that score will proceed to the assessment center.

**(4)**—The promotional eligibility lists for the ranks of Captain and Battalion Chief shall consist of all candidates who have received a final combined promotional score of seventy percent (70%) or greater on both the written examination and assessment center.

C. Each written examination will be developed based on measurable knowledge areas identified in the job analysis for the respective ranks.

D. Each assessment center will be developed based on a review of the job analysis and will be designed to measure critical knowledge, skills, abilities, behaviors, qualities, dimensions, and competencies required for successful performance in the position.

**(1)**—An Assessment Center Candidate Orientation will be provided at least ten (10) calendar days prior to the administration of the assessment center.

**(2)**—At the Assessment Center Candidate Orientation, the candidates will be provided with dimension definitions, if applicable, and an explanation of the assessment center scoring process.

**(3)**—Scoring benchmarks will be designed in such a way that a score of seventy percent (70%) or higher reflects a presumed level of proficiency sufficient to succeed in the position at entry level.

E. The assessment center and the written examination will each be weighted according to relative importance of critical knowledge, skills, abilities, behaviors, qualities, dimensions, and competencies being measured in each component.

## **19. REVIEW PROCESS**

### A. Key Copy Review

**(1)**—After the written examination, a candidate may request to review a key copy of the examination by making an appointment with the Employment Testing Division of the Human Resources Department. Only one appointment per candidate is permitted.

**(2)**—The key copy review will be the process whereby a candidate may challenge or protest questions on the written examination.

**(3)**—The key copy review period will begin on the first business day immediately following the date the written examination was administered and will continue for a total of five (5) business days.

**(4)**—Should a candidate desire to protest a question, the candidates must submit a written protest immediately at the conclusion of the two (2) hour appointment provided to that candidate for the key copy review session.

**(5)**—Taking notes is permitted during the key copy review; however; no materials, including notes, may be removed from the room.

**(6)**—All protests will be submitted in writing to the Director of Human Resources or designee, who shall review and evaluate all information concerning the challenge.

**(7)**—The Director of Human Resources or designee, with the input of the subject-matter experts, shall make the final decision for upholding or denying the protest and will notify the candidate in writing of the decision.

**(8)**—After all challenges for the written examination have been addressed and resolved, the answer sheets will be scored, and each candidate individually notified in writing of the candidate's results.

### B. Scoring Review

**(1)**—After the written examination, a candidate may request to review the candidate's respective answer sheet for accuracy in scoring during a scoring review period, by making an appointment with the Employment Testing Division of the Human Resources Department. Only one appointment per candidate is permitted.

**(a)**—The scoring review period will begin on the first business day immediately following the date the candidates were notified for their individual scores and will continue for a total of five (5) business days.

**(b)**—During the scoring review period, a candidate may compare the candidate's answer sheet with a template of the correct answers.

**(c)**—The keyed copy of the exam will not be available for review during the scoring review period.

**(2)**—Post-Assessment Review: After the assessment center, a candidate for the ranks of Captain or Fire Commander may schedule a post-assessment review by making an appointment with the Employment Testing Division of the Human Resources Department. Only one appointment per candidate is permitted.

**(3)**—Appeal of Scoring:

**(a)**—A candidate may appeal any alleged math or scoring errors in the computation of the final promotion examination score. Appeals alleging math or scoring errors shall be submitted in writing to the Employment Testing Division of the Human Resources Department no later than five (5) business days after the date the candidates were notified of their individual scores.

**(b)**—The Employment Testing Division of the Human Resources Department shall investigate the alleged math or scoring error identified in the appeal. In the event that a math/scoring error is determined to have occurred, a correction will be applied equally to all candidates impacted by the error. If any such corrected score would result in a change to the rank order of the Eligibility List for Promotion, the Fire Chief will be notified and the Employment Testing Division of the Human Resources Department will create a revised list based on the corrected scores.

**(c)**—The Eligibility List for Promotion will not be considered final until the five (5) business day appeal period is completed and any confirmed errors are corrected.

C. Scoring Process – Educational Points:

**(1)**—Until December of 2018, for the ranks of Driver, Lieutenant, Captain and Battalion Chief:

**(a)**—Two (2) educational points will be added to the written promotional examination score for a candidate with an Associate's degree from an accredited educational institution.

**(b)**—Three (3) educational points will be added to the written promotional examination score for candidates with a Bachelor's degree or Graduate degree from an accredited educational institution.

**(2)**—Educational points shall be awarded only after the seventy percent (70%) minimum passing score has been achieved on the written promotional examination.

**(3)**—Educational points – Battalion Chief: Upon the implementation of the requirement in 2018 for an Associate's degree for the rank of Battalion Chief, the grant of educational points for that degree shall end and the grant for educational points for a Bachelor's degree shall be only one (1) educational point.

**(4)**—Starting January 1, 2019, no educational points will be granted for the ranks of Driver, Lieutenant, Captain or Battalion Chief.

## **20. ELIGIBILITY LISTS FOR PROMOTION**

A. A promotional eligibility list in order of highest-attained scores will be compiled by the Employment Testing Division of the Human Resources Department for the ranks of Driver, Lieutenant, Captain and Battalion Chief and will be provided to the Fire Chief.

B. A serious disciplinary infraction is sufficient cause for the Fire Chief to remove a

candidate from a promotional list. In such instance, the removal shall be an element of the originally imposed discipline and shall not be deemed additional discipline.

C. A candidate, on an approved leave of absence without pay, may not be promoted until the candidate's return to regular duty, which may result in an individual with a lower place on the promotional list being promoted earlier.

D. Ties for placement on all lists will be determined using the following sequence:

**(1)**——Length of current continuous employment service with the department;

**(2)**——Length of service with the City;

**(3)**——Lowest A.F.D. employee number.

#### **~~21-~~ PROMOTIONAL PROCESS FOR DEPUTY FIRE CHIEF**

The Fire Chief shall make the selection of the Deputy Fire Chief with the concurrence of the Chief Administrative Officer.

#### **~~22-~~ EVALUATION OF NEWLY PROMOTED DRIVERS, LIEUTENANTS, CAPTAINS AND BATTALION CHIEFS**

A. Promotion to the rank of Driver, Lieutenant, Captain and Battalion Chief is contingent upon satisfactory performance during a six (6) calendar month evaluation period.

B. All newly promoted Drivers, Lieutenants, Captains and Battalion Chiefs will be formally evaluated by their immediate supervisors for the first six (6) calendar months. Failure to satisfactorily complete the evaluation period will result in a return to the previous rank.

C. After satisfactorily completing the six (6) calendar month evaluation period, the promotions will be considered permanent and subject to the usual performance and disciplinary requirements.

#### **~~23-~~ EVALUATION OF DEPUTY FIRE CHIEFS**

A. The rank of Deputy Fire Chief is an unclassified position.

B. Deputy Fire Chiefs serve at the discretion of the Chief Administrative Officer.